

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

NATIONAL EDUCATION ASSOCIATION;
et al.,

Plaintiffs,

v.

Case No. 1:25-cv-00091-LM

UNITED STATES DEPARTMENT OF
EDUCATION; *et al.*,

Defendants.

DEFENDANTS' CROSS MOTION FOR SUMMARY JUDGMENT

Defendants hereby move for summary judgment pursuant to Federal Rule of Civil Procedure 56(a). Pursuant to Local Rule 7.1(d), Defendants respectfully request oral argument on this motion. Furthermore, Defendants respectfully request that the Court grant the motion for the reasons described in the accompanying memorandum of points and authorities.

Date: July 17, 2025,

Respectfully submitted,

CHAD R. MIZELLE
Acting Associate Attorney General

ABHISHEK KAMBLI
Deputy Associate Attorney General

BRETT A. SHUMATE
Assistant Attorney General
Civil Division

DIANE KELLEHER
Director
Civil Division, Federal Programs Branch

/s/ Eitan R. Sirkovich

EITAN R. SIRKOVICH
Trial Attorney, U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, N.W.
Washington, D.C. 20005
Telephone: (202) 353-5525
E-mail: eitan.r.sirkovich@usdoj.gov

Counsel for Defendants